

106TH CONGRESS
2D SESSION

S. 2776

To amend the Internal Revenue Code of 1986 to encourage charitable contributions to public charities for use in medical research.

IN THE SENATE OF THE UNITED STATES

JUNE 22, 2000

Mr. COVERDELL (for himself and Mr. TORRICELLI) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Internal Revenue Code of 1986 to encourage charitable contributions to public charities for use in medical research.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Medical Research In-
5 vestment Act of 2000”.

6 **SEC. 2. INCREASE IN LIMITATION ON CHARITABLE DEDUC-**
7 **TION FOR CONTRIBUTIONS FOR MEDICAL RE-**
8 **SEARCH.**

9 (a) IN GENERAL.—Paragraph (1) of section 170(b)
10 of the Internal Revenue Code of 1986 (relating to percent-

1 age limitations) is amended by adding at the end the fol-
 2 lowing new subparagraph:

3 “(G) SPECIAL LIMITATION WITH RESPECT
 4 TO CERTAIN CONTRIBUTIONS FOR MEDICAL RE-
 5 SEARCH.—

6 “(i) IN GENERAL.—Any medical re-
 7 search contribution shall be allowed to the
 8 extent that the aggregate of such contribu-
 9 tions does not exceed the lesser of—

10 “(I) 80 percent of the taxpayer’s
 11 contribution base for any taxable year,
 12 or

13 “(II) the excess of 80 percent of
 14 the taxpayer’s contribution base for
 15 the taxable year over the amount of
 16 charitable contributions allowable
 17 under subparagraphs (A) and (B) (de-
 18 termined without regard to subpara-
 19 graph (C)).

20 “(ii) CARRYOVER.—If the aggregate
 21 amount of contributions described in clause
 22 (i) exceeds the limitation of such clause,
 23 such excess shall be treated (in a manner
 24 consistent with the rules of subsection
 25 (d)(1)) as a medical research contribution

1 in each of the 10 succeeding taxable years
 2 in order of time.

3 “(iii) TREATMENT OF CAPITAL GAIN
 4 PROPERTY.—In the case of any medical re-
 5 search contribution of capital gain property
 6 (as defined in subparagraph (C)(iv)), sub-
 7 section (e)(1) shall apply to such contribu-
 8 tion.

9 “(iv) MEDICAL RESEARCH CONTRIBU-
 10 TION.—For purposes of this subparagraph,
 11 the term ‘medical research contribution’
 12 means a charitable contribution—

13 “(I) to an organization described
 14 in clauses (ii), (iii), (v), or (vi) of sub-
 15 paragraph (A), and

16 “(II) which is designated for the
 17 use of conducting medical research.

18 “(v) MEDICAL RESEARCH.—For pur-
 19 poses of this subparagraph, the term ‘med-
 20 ical research’ has the meaning given such
 21 term under the regulations promulgated
 22 under subparagraph (A)(ii), as in effect on
 23 the date of the enactment of this subpara-
 24 graph.”.

25 (b) CONFORMING AMENDMENTS.—

1 (1) Section 170(b)(1)(A) of the Internal Rev-
 2 enue Code of 1986 is amended in the matter pre-
 3 ceding clause (i) by inserting “(other than a medical
 4 research contribution)” after “contribution”.

5 (2) Section 170(b)(1)(B) of such Code is
 6 amended by inserting “or a medical research con-
 7 tribution” after “applies”.

8 (3) Section 170(b)(1)(C)(i) of such Code is
 9 amended by striking “subparagraph (D)” and in-
 10 serting “subparagraph (D) or (G)”.

11 (4) Section 170(b)(1)(D)(i) of such Code is
 12 amended—

13 (A) in the matter preceding subclause (I),
 14 by inserting “or a medical research contribu-
 15 tion” after “applies”, and

16 (B) in the second sentence, by inserting
 17 “(other than medical research contributions)”
 18 before the period.

19 (c) EFFECTIVE DATE.—The amendments made by
 20 this section shall apply—

21 (1) to contributions made in taxable years be-
 22 ginning after December 31, 2000, and

23 (2) to contributions made on or before Decem-
 24 ber 31, 2000, but only to the extent that a deduction
 25 would be allowed under section 170 of the Internal

1 Revenue Code of 1986 for taxable years beginning
 2 after December 31, 1999, had section 170(b)(1)(G)
 3 of such Code (as added by this section) applied to
 4 such contributions when made.

5 **SEC. 3. TREATMENT OF CERTAIN INCENTIVE STOCK OP-**
 6 **TIONS.**

7 (a) AMT ADJUSTMENTS.—Section 56(b)(3) of the
 8 Internal Revenue Code of 1986 (relating to treatment of
 9 incentive stock options) is amended—

10 (1) by striking “Section 421” and inserting the
 11 following:

12 “(A) IN GENERAL.—Except as pro-
 13 vided in subparagraph (B), section 421”,
 14 and

15 (2) by adding at the end the following new sub-
 16 paragraph:

17 “(B) EXCEPTION FOR CERTAIN MED-
 18 ICAL RESEARCH STOCK.—

19 “(i) IN GENERAL.—This para-
 20 graph shall not apply in the case of a
 21 medical research stock transfer.

22 “(ii) MEDICAL RESEARCH STOCK
 23 TRANSFER.—For purposes of clause
 24 (i), the term ‘medical research stock
 25 transfer’ means a transfer—

1 “(I) of stock which is traded
 2 on an established securities mar-
 3 ket,

4 (II) of stock which is ac-
 5 quired pursuant to the exercise of
 6 an incentive stock option within
 7 the same taxable year as such
 8 transfer occurs, and

9 “(III) which is a medical re-
 10 search contribution (as defined in
 11 section 170(b)(1)(G)(iv)).”.

12 (b) NONRECOGNITION OF CERTAIN INCENTIVE
 13 STOCK OPTIONS.—Section 422(c) of the Internal Revenue
 14 Code of 1986 (relating to special rules) is amended by
 15 adding at the end the following new paragraph:

16 “(8) MEDICAL RESEARCH CONTRIBUTIONS.—
 17 For purposes of this section and section 421, the
 18 transfer of a share of stock which is a medical re-
 19 search stock transfer (as defined in section
 20 56(b)(3)(B)) shall be treated as meeting the require-
 21 ments of subsection (a)(1).”.

22 (c) EFFECTIVE DATE.—The amendments made by
 23 this section shall apply to transfers of stock made after
 24 the date of the enactment of this Act.

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